

ORIGINAL

FILED
U.S. DISTRICT COURT

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2005 JUL 28 P 3:27
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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH**

THE SCO GROUP, INC.

Plaintiff/Counterclaim-Defendant,

v.

INTERNATIONAL BUSINESS
MACHINES CORPORATION,

Defendant/Counterclaim-Plaintiff.

**EXHIBIT 7 TO MEMORANDUM IN
SUPPORT OF SCO'S MOTION FOR
LEAVE TO FILE A THIRD
AMENDED COMPLAINT PURSUANT
TO FEDERAL RULES OF CIVIL
PROCEDURE 15(a) AND 16(b)**
[Docket No. 323]

(REFILED IN REDACTED FORM)

Case No. 2:03CV0294DAK
Honorable Dale A. Kimball
Magistrate Judge Brooke C. Wells

EXHIBIT 7

From: CN=Bill Sandve/OU=Austin/O=IBM on behalf of Bill Sandve [CN=Bill Sandve/OU=Austin/O=IBM]
Sent: Sunday, July 22, 2001 4:56 PM
To: Gerry Hackett
Subject: Re: *IBM Confidential: Re: AIX on IA64

REDACTED
AT IBM'S REQUEST

As for Monterey--I think it could have been used to make sure that HP would not have yet another chance to survive in spite of their confused strategy. The facts are, though, that the rest of IBM just would not support us---when the VA compiler was allowed to drop support for AIX/IA64, the OS was already gone.

Regards, Bill
Director, UNIX Product Management
IBM Austin, sandve@us.ibm.com
phone 512-838-3250, fax 512-838-4025

Gerry Hackett
07/22/01 01:47 PM

To: Bill Sandve/Austin/IBM@IBMUS
cc:
From: Gerry Hackett/Austin/IBM@IBMUS
Subject: Re: *IBM Confidential: Re: AIX on IA64

Thanks - this was the answer I expected but had to ask. It breaks my heart that the team did so much good work & we spent so much on Monterey, but we're throwing it away...

I am keeping the Linux stuff but adding some additional eServer responsibility, reporting to Per. We can't announce this until after 8/8 because of HR nervousness about reorging just as we're announcing resource reductions. Frankly, this has also been up in the air literally for months, because Rod wanted to move this stuff under me for quite some time but uncertainty about where it would wind up in Bill's reorg forced him to hold off. So I'll believe this is happening after I read the MyNews announcement! The people who will be reporting to me don't know yet, so please don't share this with anyone.

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CONFIDENTIAL

181473066

Thanks,
Gerry

G. A. Hackett
VP, Linux Offerings
IBM Web Servers

IBM 11400 Burnet Road, Austin, Texas 78758 MailStation 9121
678-2210 (1-512-838-2210) Fax 8-3917 Office 901 2B-005
gerhack@us.ibm.com

Bill Sandve
07/21/01 09:31 AM

To: Gerry Hackett/Austin/IBM
CC:
From: Bill Sandve/Austin/IBM@IBMUS
Subject: *IBM Confidential: Re: AIX on IA64

The net internal position: AIX/IA64 is dead. The IPMT direction to the PDT was that it should not bring forward a plan dcp package for continued product development in 2002. Do not encourage to consider AIX 5L on an XSeries box since it is not going to happen.

REDACTED
AT IBM'S REQUEST

The external position: Although Sauinier and mktg team do not want to distribute any formal statement, even internally, here's what we've been saying:

We have been disappointed in the schedule slips and lack of progress on the rollout of Itanium processors. Based on the substantial delays and the related lack of near-term interest by many of our ISVs, the AIX/Itanium product is on hold as we evaluate what the right level of investment and should be. The AIX 5L for Itanium I-PRPQ remains available for evaluation use as may be appropriate. (It is available only as-is without support, as is the VA compiler it was built with)

If pushed for additional comment>> Since the release of the IRPQ, we have successfully revalidated the OS on the production version of the initial Itanium processors. We are still working on closure for a suitable production-level tools plan with Intel (ie compiler) that would support the AIX 5L for Itanium product. We expect this activity to continue throughout the second half of this year.

on an unrelated topic: did the reorgs affect you?

Regards, Bill
Director, UNIX Product Management
IBM Austin, sandve@us.ibm.com
phone 512-838-3250, fax 512-838-4025

Gerry Hackett
07/20/2001 05:34 PM

To: Bill Sandve/Austin/IBM@IBMUS

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CONFIDENTIAL

181473067

cc:
From: Gerry Hackett/Austin/IBM@IBMUS
Subject: AIX on IA64

REDACTED

What is the party line when customers indicate interest?

AT IBM'S REQUEST

I was in a briefing for today which focused on Linux (their primary interest) but their applications will benefit from large SMP & they stated they want the biggest n-way systems they can get (which they'll cluster). They're aware of the problems with Linux scaling over 4-way, and got very interested when an Intel speaker (I know) showed a roadmap of up to 32-way Itanium systems (where Itanium is the family, not the chip. It was not clear if these were McKinley or Deerfield). When questioned about which OS, the Intel guy said Windows and the customer said "Never!". They then said they would be interested in AIX on IA64, and repeated this a couple of times in discussions on RAS & system mgmt. They have a p640 & apparently like what they've seen with AIX.

We acknowledged AIX supports Itanium but didn't push this & the customer allowed the conversation to keep going.

Now, I'm trying to get the account team to push Regatta with AIX, but if they're convinced that won't fly, are we willing to bid AIX on IA64?

This customer is looking to replace about 330 SGI servers now (a .93TF system) and grow it to a 2TF system within a year. This is a big one.

Thanks,
Gerry

G. A. Hackett
VP, Linux Offerings
IBM Web Servers

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CERTIFICATE OF SERVICE

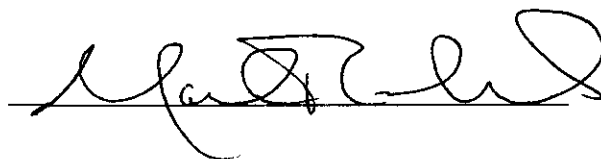
Plaintiff/Counterclaim Defendant, The SCO Group, Inc., hereby certifies that a true and correct copy of the foregoing was served on Defendant IBM on the 28th day of July, 2005, by

U.S. Mail to:

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A handwritten signature in black ink, appearing to read "David Marriott", is written over a horizontal line.